



The Corporation of the City of Stratford Infrastructure, Transportation and Safety Committee MINUTES

Date: Tuesday, October 11, 2022
Time: 7:05 P.M.
Location: Electronic Meeting

Committee Present in Mayor Mathieson
Council Chamber:

Committee Present Councillor Vassilakos - Chair Presiding, Councillor Burbach - Vice
Electronically: Chair, Councillor Beatty, Councillor Bunting, Councillor Clifford,
Councillor Gaffney, Councillor Henderson, Councillor Ingram,
Councillor Ritsma, Councillor Sebben

Staff Present in CouncilJoan Thomson - Chief Administrative Officer, Tatiana Dafoe - City
Chamber: Clerk, Chris Bantock - Deputy Clerk

Staff Present Taylor Crinklaw - Director of Infrastructure and Development
Electronically: Services, David St. Louis - Director of Community Services, John
Paradis - Fire Chief, Karmen Krueger - Director of Corporate
Services, Kim McElroy - Director of Social Services, Anne Kircos -
Director of Human Resources, Jodi Akins - Council Clerk
Secretary, Jonathan DeWeerd - Chief Building Official

Also Present: Members of the Public and Media

1. Call to Order

The Chair called the Meeting to Order.

2. Disclosure of Pecuniary Interest and the General Nature Thereof

The *Municipal Conflict of Interest Act* requires any member of Council declaring a pecuniary interest and the general nature thereof, where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the *Act*.

Name, Item and General Nature of Pecuniary Interest

No disclosures of pecuniary interest were made by a Member at the October 11, 2022, Infrastructure, Transportation and Safety Committee meeting.

3. Sub-committee Minutes

Sub-committee minutes were provided for background regarding the discussion held at the September 28, 2022, Sub-committee meeting.

4. Delegations

4.1 Request for Delegation regarding the Draft Short-Term Accommodation Licensing By-law

The following persons requested to address Committee with respect to Item 5.1 on this agenda - Short-Term Accommodation Licensing By-law:

- Murray Sanderson
- George Mackie
- RL Read
- Nigel Howard on behalf of the Stratford Chef School
- Amanda Hatton

Correspondence was also received from Shawna MacNeil and Laura Pogson.

Motion by Councillor Gaffney

Seconded by Councillor Henderson

Committee Decision: THAT the following correspondence be received:

- **email from Shawna MacNeil dated October 4, 2022 regarding the draft short-term accommodation licensing by-law; and**

- **email from Laura Pogson dated October 9, 2022 regarding the request to defer consideration of the draft short-term accommodation licensing by-law.**

Carried

Motion by Councillor Ritsma
Seconded by Councillor Burbach

Committee Decision: THAT the following delegations regarding the draft short-term accommodation licensing by-law be heard:

- **George Mackie**
- **Nigel Howard on behalf of the Stratford Chef School**
- **Amanda Hatton**

Carried

Committee Discussion: George Mackie stated he and his wife operate Hughson Hall Bed and Breakfast in Stratford. Mr. Mackie thanked members of Council for listening to comments made at the public meeting by bed and breakfast operators. Mr. Mackie stated he is pleased with the staff report and expressed his thanks to staff as well.

Nigel Howard, on behalf of the Stratford Chef School, provided information on a loan of \$500,000 made by the City to the Chef School. It is scheduled to be paid in full in April 2023. Background on the Chef School students, employment of their students by Stratford restaurants, and the competitive market to attract students was provided. Mr. Howard advised students come from all over Canada and the U.S. and available accommodations are a key factor in choosing the Stratford Chef School. The Chef School wishes to make their concerns known should accommodations for their students be negatively impacted.

Amanda Hatton stated she and her husband own Avery House Bed and Breakfast. Her concerns relate to a proposed increase in minimum liability insurance requirements under the Bed and Breakfast Licensing By-law from \$2 million to \$5 million.

Ms. Hatton noted that accommodators are already operating under difficult circumstances for the 2023 season compounded by inflation impacts, a potential reduction in overnight stays due to the Municipal Accommodation Tax (MAT) and because most accommodators operated in the red in 2020/2021. It was also noted that incentives were provided for

guests who put down deposits in 2020 to freeze rates, leaving accommodators unable to increase rates for existing bookings.

With respect to insurance, the five municipalities used as comparators in the staff report were reviewed. Ms. Hatton advised she looked up minimum liability requirements for all five municipalities and they remain at \$2 million. Several further concerns related to insurance costs were outlined, including extremely high rate increases in commercial insurance, the requirement for a number of local businesses to put their insurance requirements out to bid and the need to absorb these increases while also dealing with the inflation and the recovery of the travel sector.

Ms. Hatton requested relief from Council and made suggestions including postponing or staggering the increase in liability insurance minimums, subsidizing the increases with the MAT tax funds, or waiving the bed and breakfast licensing fees.

In response to whether 2019 guest night numbers are comparable to 2022 numbers, Ms. Hatton stated she personally will end the 2022 season at 75% of a pre-Covid year.

5. Report of the Chief Building Official

5.1 Short-Term Accommodation Licensing By-law (ITS22-026)

This item was also listed on the October 11, 2022, reconvene Council agenda for consideration.

Staff Recommendation: THAT Council receive the report Short-Term Accommodation Licensing By-law (ITS22-026) dated October 11, 2022;

THAT Council approve the draft Accommodation Licensing By-law effective January 1, 2023 substantially in the form attached to this Report;

THAT Council approve the revised Bed and Breakfast Establishment By-law effective January 1, 2023, substantially in the form attached to this Report;

THAT the request for an additional full time equivalent position be referred to the 2023 budget deliberations;

AND THAT the establishments currently licensed under the Bed and Breakfast Establishment Licensing By-law have their 2022 licenses extended until March 31, 2023.

Committee Discussion: The Chief Building Official stated the objective was to consider an accommodation licensing by-law to promote visitor and resident safety for accommodation units created in the City and rented on a short term basis. The second objective being to consider amendments to the Bed and Breakfast Licensing By-law to ensure consistency between insurance, appeals procedures, offences and penalty provisions. Following the public meeting and the feedback received at that meeting, several amendments are being proposed. Those amendments include:

- that the Bed and Breakfast Licensing By-law be kept separate from the Accommodation Licensing By-law;
- removed reference to bed and breakfast establishments from the accommodation licensing by-law;
- addition of links for definitions to the Zoning By-law for clarity;
- provisions being added to permit the transfer of licences to a new property owner;
- modified annual terms from April 1st of one year to March 31st of the following year to better coincide with the Festival season; and
- added clarification on events and added provisions for non-commercial type events to be permitted.

Staff proposed that these amendments be made to the Accommodation Licensing By-law and the Bed and Breakfast Licensing By-law.

Amendments to the license term in the Bed and Breakfast Licensing By-law will ensure it aligns with the term for short term accommodations. Staff also recommend that offence and penalty provisions between the two by-laws ensure it is a level playing field.

Members were advised the increase in minimum liability insurance requirements were based on advice from the City's Solicitor and Insurer. With respect to fees, a moratorium was proposed and is recommended to be considered as part of the 2024 budget process. The addition of a fee moratorium was required to be added to the staff recommendation.

A question and answer period was held between members and staff as follows:

- it being questioned whether bed and breakfast operators can hold weddings and events, can rent their rooms past the 28-day restriction and whether two by-laws will be created;
- it being confirmed the Bed and Breakfast Licensing by-law will be amended and a new by-law adopted for short term accommodations;
- it being confirmed that stays longer than 28 days in bed and breakfast operations are permitted in the Zoning By-law and that events will be permitted;
- staff recommending there be two by-laws, one for bed and breakfast establishments and one for short term accommodations;
- the amount of lost revenue as a result of a moratorium on the fees being questions;
- it being noted that the current fees fluctuate based on the number of rooms, for the City approximately \$50,000 to \$60,000 is anticipated to be lost and this number will increase based on number of short term rentals that are licensed;
- it being confirmed that if a bed and breakfast establishment is licensed they can permit stays longer than 28 days;
- the reason for the increase in insurance being requested;
- the City's Insurer having made a recommendation to the City on the required insurance amount and this being based on several factors including: claims made against the City, types of agreements and by-laws the City has;
- the City's Insurer having made the recommendation to increase the insurance requirement to \$5 million dollars across the board for all types of agreements, contracts, tenders, etc.;
- the increase to the insurance amount being phased in by staff over the past few years and the recommendation having been made in 2019;
- the moratorium on fees being to March 31, 2024;

- it being questioned whether the City is required to increase the insurance amount as recommended by the City's Insurer;
- there having been discussion at AMO about the increases to insurance costs, joint and several liability, and the increase costs from litigation being above municipal insurance amount;
- AMO working groups recommending that the new standard for municipal insurance being \$5 million to protect as best as possible their liability as the municipality is required to make up any difference between what they are liable for and their insurance amount;
- whether it is possible that accommodators that obtain a license can all go under the same insurance policy;
- it being noted it is up to accommodation to obtain insurance;
- it being questioned whether the City can obtain additional insurance for this sort of liability we are carrying instead of increasing the amount accommodators are to be insured;
- it being noted that there is no specific or explicit policy but that Council can choose to maintain the insurance amount at \$2 million dollars and assume the additional risk of any claim that involves the City or the provider;
- it being the discretion of Council to also amend the required insurance amounts for other businesses licensed by the City; and
- the moratorium on fees being for all bed and breakfast and short term rental accommodators to ensure compliance with the by-laws.

Motion by Councillor Ritsma

Seconded by Councillor Burbach

Committee Recommendation: THAT Council receive the report Short-Term Accommodation Licensing By-law (ITS22-026) dated October 11, 2022;

THAT Council approve the draft Accommodation Licensing By-law effective January 1, 2023 substantially in the form attached to this Report;

THAT Council approve the revised Bed and Breakfast Establishment By-law effective January 1, 2023, substantially in the form attached to this Report;

THAT the request for an additional full time equivalent position be referred to the 2023 budget deliberations;

THAT licensed establishments under the Accommodation Licensing By-law and Bed and Breakfast Establishment By-law, be exempted from paying licensing fees for the 2023 season, from April 1, 2023, to March 31, 2024;

AND THAT the establishments currently licensed under the Bed and Breakfast Establishment Licensing By-law have their 2022 licenses extended until March 31, 2023.

A member advised they would not be supportive of the motion due to the insurance requirements. The member advised they preferred to see the insurance amount remain at \$2 million dollars.

The Chair called the question on the motion.

Carried

6. Report of the Manager of Environmental Services

6.1 AMO-LAS Water and Sewer Warranty Program Agreement (ITS22-023)

This item was also listed on the October 11, 2022, reconvene Council agenda for consideration.

Staff Recommendation: THAT the Marketing Agreement between The Corporation of the City of Stratford and Service Line Warranties of Canada Inc. for the AMO-LAS Water and Sewer Warranty Program, be entered into;

THAT Option 1 be authorized for the allocation of the 5% royalty in the pricing structure to be redirected to participating residents;

AND THAT the Mayor and Clerk, or their respective delegates, be authorized on behalf of The Corporation of the City of Stratford to sign the Marketing Agreement.

Sub-committee Recommendation: THAT the Marketing Agreement between The Corporation of the City of Stratford and Service Line Warranties of Canada Inc. for the AMO-LAS Water and Sewer Warranty Program, be entered into;

THAT Option 1 be authorized for the allocation of the 5% royalty in the pricing structure to be redirected to participating residents;

AND THAT the Mayor and Clerk, or their respective delegates, be authorized on behalf of The Corporation of the City of Stratford to sign the Marketing Agreement.

Committee Discussion: In response to a question from Committee as to how staff will let the public know about the program, the Director of Infrastructure and Development Services advised staff will develop a communication plan.

Motion by Councillor Gaffney

Seconded by Councillor Burbach

Committee Recommendation: THAT the Marketing Agreement between The Corporation of the City of Stratford and Service Line Warranties of Canada Inc. for the AMO-LAS Water and Sewer Warranty Program, be entered into;

THAT Option 1 be authorized for the allocation of the 5% royalty in the pricing structure to be redirected to participating residents;

AND THAT the Mayor and Clerk, or their respective delegates, be authorized on behalf of The Corporation of the City of Stratford to sign the Marketing Agreement.

Carried

7. Report of the Municipal Law Enforcement Officer

7.1 Request to Operate All-Terrain Vehicles (ATVs) on City Streets, Recreation Trails and Municipal Property – Dig-IT Incorporated (ITS22-025)

This item was also listed on the October 11, 2022, reconvene Council agenda for consideration.

Staff Recommendation: THAT the request by Dig-IT Incorporated to be granted an exemption to drive All-Terrain Vehicles on city road allowances and Municipal Property be denied.

Motion by Councillor Ingram

Seconded by Councillor Bunting

Committee Recommendation: THAT the request by Dig-IT Incorporated to be granted an exemption to drive All-Terrain Vehicles on city road allowances and Municipal Property be denied.

Carried

8. Report of the City Clerk

8.1 Request to Permit Active Transportation Artwork on Municipal Sidewalks in School Zones (ITS22-024)

This item was also listed on the October 11, 2022, reconvene Council agenda for consideration.

Staff Recommendation: THAT the proposed artwork promoting active transportation in School Zones as outlined in Report ITS22-024 be approved;

THAT the proposed artwork be installed and maintained by Staff in the Public Works Division in the following locations:

- Huntingdon Avenue from Huron Street to Avon Street;
- Cawston Street from Forman Avenue to Huntingdon avenue;
- Bruce Street from Downie Street to Anne Hathaway Public School;
- Morgan Street from Edison Crescent to Simcoe Street;
- Downie Street from Player Street to Bruce Street;
- Birmingham Street from McFarlane street to Easson Street;
- Easson Street from McCulloch Street to Birmingham Street;
- Cambria Street from St. Vincent Street to Shrewsbury Street;
- Nile Street from Brunswick Street to Grange Street;

- Waterloo Street from Front Street to Nile Street;
- Rebecca Street from Front Street to Nile Street;
- Grange Street from Front Street to Nile Street;
- Mowat Street from Crooks Street to Shakespeare Public School;
- Dufferin Street from Louise Street to West Gore Street;
- Cambria Street from Nelson Street to McKenzie Street;

THAT the total costs for the installation and maintenance in 2022 be funded through the Active Transportation Advisory Committee 2022 Budget (G-820-7260);

THAT Staff be authorized to add artwork locations at their discretion in areas in close proximity to Schools;

AND THAT Staff be authorized to continue this program from 2022 to 2026, subject to annual budget approval.

Sub-committee Recommendation: THAT the proposed artwork promoting active transportation in School Zones as outlined in Report ITS22-024 be approved;

THAT the proposed artwork be installed and maintained by Staff in the Public Works Division in the following locations:

- Huntingdon Avenue from Huron Street to Avon Street;
- Cawston Street from Forman Avenue to Huntingdon avenue;
- Bruce Street from Downie Street to Anne Hathaway Public School;
- Morgan Street from Edison Crescent to Simcoe Street;
- Downie Street from Player Street to Bruce Street;
- Birmingham Street from McFarlane street to Easson Street;
- Easson Street from McCulloch Street to Birmingham Street;
- Cambria Street from St. Vincent Street to Shrewsbury Street;
- Nile Street from Brunswick Street to Grange Street;
- Waterloo Street from Front Street to Nile Street;

- Rebecca Street from Front Street to Nile Street;
- Grange Street from Front Street to Nile Street;
- Mowat Street from Crooks Street to Shakespeare Public School;
- Dufferin Street from Louise Street to West Gore Street;
- Cambria Street from Nelson Street to McKenzie Street;

THAT the total costs for the installation and maintenance in 2022 be funded through the Active Transportation Advisory Committee 2022 Budget (G-820-7260);

THAT Staff be authorized to add artwork locations at their discretion in areas in close proximity to Schools;

AND THAT Staff be authorized to continue this program from 2022 to 2026, subject to annual budget approval.

Committee Discussion: The cost of the project was questioned. A member advised it was approximately \$1,500 and would be funded from the Active Transportation Advisory Committee budget.

Motion by Councillor Burbach

Seconded by Councillor Ingram

Committee Recommendation: THAT the proposed artwork promoting active transportation in School Zones as outlined in Report ITS22-024 be approved;

THAT the proposed artwork be installed and maintained by Staff in the Public Works Division in the following locations:

- **Huntingdon Avenue from Huron Street to Avon Street;**
- **Cawston Street from Forman Avenue to Huntingdon avenue;**
- **Bruce Street from Downie Street to Anne Hathaway Public School;**
- **Morgan Street from Edison Crescent to Simcoe Street;**
- **Downie Street from Player Street to Bruce Street;**
- **Birmingham Street from McFarlane street to Easson Street;**

- **Easson Street from McCulloch Street to Birmingham Street;**
- **Cambria Street from St. Vincent Street to Shrewsbury Street;**
- **Nile Street from Brunswick Street to Grange Street;**
- **Waterloo Street from Front Street to Nile Street;**
- **Rebecca Street from Front Street to Nile Street;**
- **Grange Street from Front Street to Nile Street;**
- **Mowat Street from Crooks Street to Shakespeare Public School;**
- **Dufferin Street from Louise Street to West Gore Street;**
- **Cambria Street from Nelson Street to McKenzie Street;**

THAT the total costs for the installation and maintenance in 2022 be funded through the Active Transportation Advisory Committee 2022 Budget (G-820-7260);

THAT Staff be authorized to add artwork locations at their discretion in areas in close proximity to Schools;

AND THAT Staff be authorized to continue this program from 2022 to 2026, subject to annual budget approval.

Carried

9. For the Information of Committee

9.1 Department Update

Sub-committee Discussion: The Director of Infrastructure and Development Services provided the following updates:

- An active transportation funding application put forward in March is still pending. Staff are expecting a decision soon.
- Staff plan to bring a report on consideration of a 40km speed limit on local roads to the November 14 meeting.
- A sidewalk project was awarded at the September 26, 2022 Council meeting. It was confirmed with the Project Manager that it will be

done before snow falls, but there is a provision that it can be completed in spring with minimal extra cost.

- Pavement condition assessment was done recently on the City's roads. They are generally in fair to poor condition. There are a number of new roads that fall in the good range however.
- Fall flushing is ongoing. If rusty water is experienced, the public is advised to flush their taps or contact the City.
- The Climate Change Program Manager started last week. She will reach out to stakeholders soon.

Concern was noted with the line painting on Ontario Street. The Director advised he would review with staff.

In response to whether the data from the robotic sidewalk assessment completed a few years ago and whether the information is publicly available, the Director advised there is concern with the information being publicly available and potential liability in the future, however, he can take it back for consideration. That particular assessment is completed solely for directing small repairs to meet minimum maintenance standards.

It was noted that the City has some hybrid trucks and it was asked what makes them hybrid. The Director responded that the trucks recently purchased have built in electric generation capacity. Under certain speeds the vehicle would use electricity, and in some circumstances it would use gasoline. Staff are looking into purchasing electric plug in trucks in the future.

9.2 Advisory Committee/Outside Board Minutes

The following Advisory Committee/Outside Board minutes were provided for the information of Committee:

- Accessibility Advisory Committee minutes of May 3, 2022
- Energy and Environment Committee minutes of June 2, 2022

Sub-committee Discussion: Councillor Burbach, as the Energy and Environment Committee (Committee) Council representative, advised that the Committee was hoping to bring forward two motions during this Council term. Members were advised the Committee has an Industrial,

Commercial, Institutional (ICI) Waste Reduction working group and they brought forward two proposals as follows:

Entering into the Retail Council of Canada and the Canada Plastics Pact

The I.C.I. Working Group would like to see Stratford join the Canada Plastics Pact and the review by the Climate Change Committee of current waste reduction by-laws, such as the ones Surrey and Victoria, British Columbia have in place, as a goal for creating by-laws for the City of Stratford.

Sub-committee Decision: THAT the following Energy & Environment Advisory Committee motion be referred to staff for review and to bring forward a report for consideration:

THAT the Energy & Environment Advisory Committee requests City Council consider joining the Canada Plastics Pact to ensure that the issue of plastic waste can be addressed;

AND THAT Stratford City Council request staff undertake a review of by-laws adopted by Surrey and Victoria, British Columbia, related to plastic reduction be reviewed with a goal of creating plastic reduction by-laws for the City of Stratford.

Discussion took place regarding whether the matter would be listed at the next Committee meeting or referred to staff to bring a report forward for the new Council. The Clerk stated that there would not be sufficient time for it to be brought forward to the October 11, 2022, Council meeting but that staff would try and bring the report forward to a meeting in November. Councillor Burbach advised the working group compiled background work on this item, which hopefully reduces staff time required.

Green Recognition Program

Councillor Burbach advised the I.C.I. working group has also drafted a proposal for an awards program for businesses who are doing good work with environmental initiatives. A request was made to develop the requested awards program.

Sub-committee Decision: THAT the following Energy & Environment Advisory Committee motion be referred to staff for review and to bring forward a report for consideration:

THAT the Energy & Environment Advisory Committee – Industrial, Commercial, Industrial Waste Working Group requests that Stratford City Council approve the development of a Green Recognition Program in Stratford, as outlined in their draft proposal.

It was asked whether this program would be similar to the James Anderson awards run by the Heritage Advisory Committee in that it would be administered by the Energy & Environment committee. Councillor Burbach confirmed that was her understanding.

10. Adjournment

Motion by Councillor Clifford

Seconded by Councillor Burbach

Committee Decision: THAT the Infrastructure, Transportation and Safety Committee meeting adjourn.

Carried

Meeting Start Time: 7:41 P.M.

Meeting End Time: 8:22 P.M.